

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: Ibert C. Wells

Title: METHOD FOR DETECTING DEFICIENT CELLULAR MEMBRANE TIGHTLY  
BOUND MAGNESIUM FOR DISEASE DIAGNOSES**PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.53(b)**MS PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a Patent Application under 37 C.F.R. 1.53(b).

**Continuing Application Information:**

- ☐ Continuation      ☐ Divisional      ☒ Continuation-in-Part (CIP)
- ☒ Prior U.S. Application Serial No. 10/053,669 filed January 24, 2002, which is a Continuation of U.S. Application Serial No. 09/265,690, filed March 10, 1999, which is now U.S. Patent No. 6,372,440. This application is also a continuation-in-part of U.S. Patent Application having Serial No. 10/695,536 filed October 28, 2003, which is a divisional of U.S. Patent Application Serial No. 10/230,133, filed August 29, 2002, now U.S. Patent No. 6,664,420, which is a Divisional of U.S. Patent Application Serial No. 09/635,266, filed August 9, 2000, now U.S. Patent No. 6,455,734.

**Prior Application Information:**

- ☒ Examiner: Padma Baskar
- ☒ Group/Art Unit: 1645

**Application Elements:**

- ☒ Application transmittal containing Fee Calculation and Certificate of Mailing by "Express Mail".
- ☒ Please charge Deposit Account No. 19-4409 the application filing fee of \$559.00..
- ☒ Applicant claims small entity status.
- ☒ Application Cover Sheet, Specification, Claims (1- 30) and Abstract of the Disclosure (68 total pages).
- ☐ Original drawings (Figures 1- \_\_, \_\_ total sheets).
- ☐ Declaration and Power of Attorney (1 document) (2 total pages).
- ☐ Newly-executed copy.

**Certificate of Mailing by "Express Mail" (37 C.F.R. 1.10)**

Express Mail Label No.: EV 136922579 US

Date of Deposit: March 22, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to MS PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Linda ClawsonSignature: Linda Clawson

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.



- ☐ Copy[ies] from a prior application pursuant to 37 C.F.R. 1.63(d).
- ☐ The Declaration[s] was/were filed prior to December 1, 1997. The inventor[s] post office address[es] is/are: [Post Office Address]
- ☐ Signed Statement attached deleting inventor(s) named in the prior application (37 C.F.R. 1.63(d)(2) and 1.33(b)).

**Accompanying Application Parts:**

- ☐ Patent Assignment Recordation Form Cover Sheet and Assignment ([ 3 ] total pages).
- ☐ A check in the amount of \$40.00 to cover the Assignment recordation filing fee.
- ☐ The prior application is Assigned of record to [\*] and was recorded on [date] at Reel [\*]/Frame [\*] ([#] pages).

**Documents reflecting change in Power of Attorney/Correspondence Address.**

- ☐ [Revocation of] Power of Attorney [and Appointment of New Power of Attorney] [by Assignee]. [Change of Correspondence Address –Application (PTO/SB/122).]
- ☐ Certificate Under 37 C.F.R. § 3.73(b) (where there is an Assignee).

Information Disclosure Statement (IDS) under 37 C.F.R. § 1.97(b) and PTO/SB/08A (PTO-1449).

- ☐ Copies of IDS Citations.
- ☒ Information Disclosure Statement (IDS) under 37 C.F.R. § 1.97(b) for U.S. Patent Application Publications and U.S. Unpublished Applications.
- ☒ Copies of PTO forms 892/1449.
- ☐ A Petition for Extension of Time is being filed concurrently in the prior application ([ ] total pages).
- ☐ Preliminary Amendment ([ ] total pages).
- ☐ Petition to Make Special Under 37 C.F.R. § 1.102(c) ([ ] total pages).
- ☒ Itemized Return Receipt Post Card.
- ☐ Certified copy of priority document(s) (if foreign priority is claimed).
- ☐ Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i).
- ☒ Other: Nucleotide and/or Amino Acid Sequence Submission: Computer Readable Form (CFR); Specification Sequence Listing on paper; Sequence Statement Pursuant to 37 C.F.R. 1.821(f).

**Fee Calculation:**

	Filed				Extra		Rate		Calculations
Basic Fee									\$770
Total Claims	30	-	20	=	10	x	\$18	=	180
Independent Claims	5	-	3	=	2	x	\$84	=	168
Multiple Dependent Claims (one time fee)					0	x	\$280	=	0
<b>Total Fee:</b>									<b>\$1118</b>
<input checked="" type="checkbox"/> <b>Small Entity Fee Reduction of 50%:</b>									<b>\$559</b>

Direct all correspondence to: ☒ Customer Number 27910



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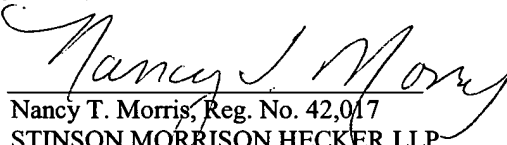
PATENT TRADEMARK OFFICE

Pursuant to the provisions of 37 C.F.R. §§ 1.10 and 1.53(a), Applicant respectfully requests that this application be assigned a serial number and a filing date of March 22, 2004, the date upon which the Application was mailed to the United States Patent and Trademark Office by Express Mail.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By:

  
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